

From the desk of Tom Brejcha, Founder and President...

July 9, 2025

Dear Friend,

In the annals of our American legal history, there are a few decisions handed down by the U.S. Supreme Court that have been widely, or even universally, regarded as grave instances of judicial overreach and outright rank injustice...

We contend, of course, that *Roe v. Wade* stands tall among these egregious injustices. Fortunately, *Roe* was overturned three years ago in the long overdue *Dobbs* ruling. But other terribly errant high Court rulings have escaped their just due. A handful of woefully wrong Supreme Court precedents have never been reversed, but have been repudiated...

For example, one of these was the high Court's decision back in 1927, *Buck v. Bell*, whose ruling is now universally condemned, as it allowed the forced sterilization of "mentally unfit" human beings. Although *never* reversed or overturned, nevertheless this case has been relegated to the dustbin of history. This handful of repudiated rulings, like *Buck v. Bell*, are often referred to as "zombie precedents." Still on the books, yet they have no "bite."

Now, we continue to wrestle with another Supreme Court precedent, *Hill v. Colorado*, that also deserves to be categorized as a "zombie precedent." In the *Dobbs* case itself, reversing *Roe v. Wade*, the high Court's majority opinion by Justice Alito referred to *Hill* as a mistaken ruling at odds with basic First Amendment principles.

Yet, at the behest of pro-abortion advocates representing cities that are determined to suppress pro-life speech, lower courts are continuing to rely on *Hill*, treating it as controlling precedent that requires them to uphold and approve fatally flawed "buffer" and "bubble" zone laws that impose patently unconstitutional restrictions on pro-life sidewalk counselors.

Last summer, we petitioned the Supreme Court to review and reverse *Hill v. Colorado*. While the high Court did not take up our case, *Coalition Life v. City of Carbondale*, Justice Clarence Thomas powerfully dissented, giving us the firepower to pioneer new legal arguments...

In dissent, Justice Thomas called *Hill*, going on 25 years old, wholly contrary to prevailing free speech law. He called for *Hill*'s reversal, critiquing it as "incompatible" and "at odds with" later First Amendment rulings by the high Court, leaving it with "diminished status."

But *Hill* remains on the books, “diminished” but still—in the view of many abortion-supporters—standing as a governing precedent. Thus, especially since *Roe*’s reversal three years ago, pro-abortion “blue” states and cities have increasingly cited and relied on *Hill v. Colorado*.

Why so? Because they are making last ditch attempts keep silencing pro-life sidewalk advocates by imposing “buffer” and “bubble” no-speech zones to keep them from persuading abortion-bound women to choose life. Cities like San Diego have increasingly turned to these anti-speech measures to frustrate and ward off against earnest, kindly, life-affirming advocates like our client, Roger Lopez...

Venerable, core First Amendment rights must be robustly protected! We’re now launching a fresh attack on this anti-free speech precedent, trailblazing this new approach with fresh legal argument asking lower courts to disregard *Hill* to strike down no-speech zones.

Roger Lopez has saved over 100 babies while sidewalk counseling... No wonder that pro-abortion San Diego aims to silence his ministry!

In downtown San Diego, California, for 25 years, sidewalk counselor Roger Lopez has proved himself a source of hope and healing outside of the city’s Planned Parenthood...

With a gentle word and a compassionate heart, he offers abortion-bound women in crisis real alternatives to abortion—hope in their darkest moments. Roger and his late wife embarked on this sidewalk ministry together a quarter century ago...

After losing his beloved wife in 2008, however, Roger faced a crossroads, unsure if he could carry on his pro-life sidewalk counseling alone. But one transformative day, when no other sidewalk counselors showed up, he felt a powerful urge that he should carry on...

“God just had His hand on my shoulder,” Roger recalls. That day, he helped three women choose life for their babies—a moment that reignited his calling and pushed him to remain on the public sidewalk outside San Diego’s Planned Parenthood...

Since then, Roger’s tireless ministry has saved over 100 preborn lives, one heartfelt conversation at a time! His presence on that sidewalk isn’t just speech. It’s a beacon of truth, a reminder that every life is sacred and every woman deserves real choices.

Yet, Roger’s life-saving mission is now under siege in San Diego. The city’s recently enacted vague, discriminatory ordinance reads like a *constitutional travesty*: clinic “escorts” (pro-abortion voices) may pressure women to abort, unchecked, yet Roger—a peaceful pro-life advocate offering hope—faces criminal prosecution if he shares life-affirming options!

“I feel like my hands are tied behind my back,” Roger says.

Roger risks six months in jail for simply offering a leaflet or holding a sign that city officials—cozy with Planned Parenthood and bankrolled by their campaign dollars—arbitrarily label as “harassing.”

This restrictive ordinance, passed just last year, imposes a triple burden on sidewalk counselors. It forbids them from approaching within 8 feet of passersby, restricts their speech with a vague ban on “*disturbing, excessive, or offensive*” noise that causes “*discomfort or annoyance*,” and prohibits signs or speech deemed to “cause substantial distress”! Ridiculous!

We’re on appeal for Roger against San Diego’s “no-speech” zone

The First Amendment exists to protect voices like Roger’s—voices that challenge the powerful abortion industry and speak truth in the face of opposition, that offer hope against despair. But San Diego turns a deaf ear toward our fundamental free speech protections.

The city’s vague “harassment” and “noise” provisions confer unchecked power on pro-abortion city officials to silence, or prosecute, anybody’s speech that *they* find “offensive.” Obviously, this targets pro-life counselors like Roger Lopez who impair the abortion agenda.

This is blatant viewpoint discrimination. The cozy ties between Planned Parenthood and city politicians, fueled by thousands in campaign contributions, explain this bias. The ordinance is nothing less than a tool to protect the abortion industry’s interests!

We’re fighting back for Roger with everything at our disposal. We’re now headed to federal appeals court after a federal judge upheld San Diego’s unjust law. How so? The Judge relied on the flawed, speech-suppressing “zombie precedent,” *Hill v. Colorado*—that same case that is ripe for review, and its long-overdue reversal, by the U.S. Supreme Court.

Our legal team at Thomas More Society is arguing on appeal to the 9th Circuit Court of Appeals that San Diego’s law violates the Constitution’s core protections: the right to speak freely and the right to offer truthful, life-affirming options without fear of punishment.

A victory here could dismantle the abortion lobby’s favorite censorship tactic, striking a blow against their nationwide campaign to silence hope.

Your gift today will fuel this critical fight and many others just like it. Roger’s ministry, and the countless lives it saves, depends on our ability to defend his constitutional rights.

California continues its vicious “lawfare” campaign against pregnancy centers. We’re now on appeal fighting for justice!

Roger’s appeal to defend sidewalk counseling in southern California isn’t the only battlefield on which we’re fighting back against California’s abortion lobby. At the same time, we’ve just taken another critical case on appeal to the 9th Circuit...

Culture of Life Family Services (COLFS) in southern California shines as a beacon of hope. This pro-life pregnancy center offers women free ultrasounds, counseling, and Abortion Pill Reversal—an effective, science-backed protocol that’s saved 7,000+ babies by giving moms a second chance to choose life after taking the first abortion pill.

But California Attorney General Rob Bonta wants to snuff out this hope. Back in the fall of 2023, Bonta sued pregnancy center network Heartbeat International and a Bay Area pregnancy center chain with frivolous and baseless accusations that they were engaging in “deception” and “false advertising.”

We went to state court to defend Heartbeat against Bonta’s attack on its life-saving work. But we also filed a federal court counter-offensive on behalf of COLFS, arguing that Bonta’s campaign of censorship also violates the First Amendment rights of other pregnancy centers, who have been “chilled” by fear of Bonta’s future frivolous prosecution.

Yet, the judge in our federal case has refused to protect COLFS against Bonta’s prosecutors. So, we are now appealing to the 9th Circuit!

Bonta’s crusade against pregnancy help ministries in California is a blatant First Amendment violation—ignoring science and the thousands of lives saved—to protect the abortion lobby’s grip.

Our Thomas More Society attorneys are battling to protect COLFS’ free speech, exposing Bonta’s viewpoint discrimination as a politically driven attack. This is about more than just one pregnancy center—it’s about every woman’s right to hear life-saving options and the future of the pro-life message in California.

Sidewalk counselor is assaulted, kicked, and suffers a permanent eye injury—but his attacker remains free!

In May 2023, 73-year-old Mark Crosby stood outside a Baltimore Planned Parenthood, peaceably advocating for the unborn. With his friend Dick Schaefer, he prayed and offered compassionate alternatives to abortion-bound women, but then in a sudden act of violence, 28-year-old Patrick Brice drove Dick into a concrete flowerpot, then struck Mark to the ground and viciously kicked him in the face, shattering his orbital plate, causing permanent eye injury.

Mark endured three grueling days in a trauma center, bearing scars and injuries that linger still, but news of his plight earned him a hero’s honor as President Trump’s distinguished guest at the 2024 Conservative Political Action Conference (CPAC).

In February 2025, a jury convicted Brice of two counts of second-degree assault but deadlocked on the first-degree felony assault charge. Just recently, the trial Judge, sitting without a jury, acquitted Brice of the felony charge during a retrial—saying, incredibly, that video evidence was “unclear.” Sentencing on the misdemeanor is pending.

All the while, Brice had been free on his “own recognizance.” We aided Mark in court, providing him with expert victim’s counsel who will further assist at the sentencing hearing. Yet, absent any felony conviction for such a vicious injurious assault, justice has been cruelly denied.

Religious freedom win for Catholic school families in Pennsylvania

Many parents sacrifice to send their children to parochial schools for a faith-centered education. In Pennsylvania, these families have faced unjust penalty for such a decision: their children have been denied access to over 100 taxpayer-funded activities—sports teams, Advanced Placement courses, clubs, and more—simply because they chose religious education...

Meanwhile, homeschool and charter school students have enjoyed full access to these same public school district opportunities! **This double standard wasn't just unfair; it was unconstitutional religious discrimination, plain and simple.**

We took the State College Area School District to federal court, representing Catholic school families whose hard-earned tax dollars fund these programs—yet were barred from them. We argued this discriminatory policy was a direct assault on the First Amendment, punishing families for prioritizing their children's spiritual and moral formation.

Ruling in our favor, our federal Judge wrote: "The Free Exercise Clause is clear... If some exemptions are made, a school's refusal to make a religious one enforces a value judgment preferring secular conduct over religious conduct."

Cornered by the Constitution, the school district waved the white flag—opening the door to final victory. Last month, we secured this big win with a federal Consent Order that allows access to taxpayer-funded extracurriculars on equal terms for parochial school families.

This triumph ensures that religious school children in Pennsylvania can now compete on the field, excel in AP classes, and engage in taxpayer-funded activities at the local district, with their peers—without sacrificing their religious education.

This victory ends a longstanding policy of discrimination against parochial school students in Pennsylvania, and we're now working to ensure it is heeded and in effect statewide!

This victory is more than a win for one family or community—it's a forceful wake-up call for public officials in Pennsylvania. Religious discrimination will not stand, and Thomas More Society attorneys—*backed by your support*—will hold violators accountable in court.

Please help us through the summer doldrums with your most generous gift today!

The powerful abortion lobby and their allies in government are unrelenting in their attempts to censor the speech of our pro-life sidewalk counselors and pregnancy help ministries.

As you know, it's a massive spiritual and financial undertaking to go up against the cash-rich abortion industry, its powerful lobby—especially when we're fighting against state AGs like Rob Bonta and Letitia James, who have bottomless taxpayer-funded coffers.

With your help, we can—and must—fight back! So please, will you help us defend pro-lifers, with a gift of \$500, \$250, or \$100? We also need lots of urgent gifts in the range of \$75, \$50, \$35—or whatever you can sacrifice.

Your generous gift today fuels our critical legal work to shield our movement's life-saving ministries against ruinous lawsuits and preserve their right to offer hope. Together, we'll build an impermeable firewall against these unconstitutional threats...

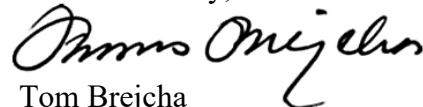
We're proud to be defending pro-life advocates like Roger Lopez in San Diego and pregnancy centers providing life-saving help to women in need. **But their pro-life ministries are under attack from the abortion industry and their allies in government...**

And if these attacks are allowed to continue, they will rapidly spread across the country—even to pro-life states. Your generous gift today will sustain our legal advocacy, shielding our heroic clients from attacks on free speech, the family, and religious liberty.

If the Lord has blessed you financially, please consider sending a gift of \$5,000, \$2,500, or \$1,000. I'm also praying that one hero will step forward with a gift of \$10,000, four heroes with \$5,000, and eight heroes with \$1,000. Gifts in that range are tremendous blessings.

Please prayerfully consider rushing a gift today. I'll be grateful for your sacrifice—no matter how large or how small. Your prayers and generosity sustain our mission and keep us on the front lines. May God bless you and your loved ones in His own best way.

Yours faithfully,



Tom Brejcha
Founder and President
Thomas More Society

P.S. Your generous tax-deductible gift today supports our entire mission at Thomas More Society, from the cases mentioned in this letter to plenty of other battles we are fighting for pro-life, pro-family, and pro-freedom heroes—whose stories I am unable to fit in this July's letter!

P.P.S. If you'd like to support our mission for the long-haul, please prayerfully consider joining our Defenders Circle by making a Monthly gift. Recurring gifts like these are extremely helpful in sustaining our mission of defending life, family, and freedom, against all threats and fortify us for whatever comes next!